

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**THE PUBLIC INTEREST LEGAL  
FOUNDATION,**

**Plaintiff,**

**V.**

**KATHY BOOCKVAR, in her Official  
Capacity,**

**Defendant.**

[illegible]

**No. 1:20-cv-01905**

## CHIEF JUDGE JONES

**ELECTRONICALLY FILED**

## UNOPPOSED MOTION FOR REFERRAL TO A UNITED STATES MAGISTRATE JUDGE FOR FACILITATION OF SETTLEMENT

Pursuant to Middle District of Pennsylvania Local Rules 16.9.1, 16.9.2 and 16.9.3, Defendant Kathy Boockvar, in her Official Capacity (“Secretary Boockvar”), hereby moves with the concurrence of Plaintiff The Public Interest Legal Foundation for the Court to refer this matter to a United States Magistrate Judge for the purpose of conducting a settlement conference. In support thereof, Secretary Boockvar avers as follows:

1. On October 15, 2020, Plaintiff filed a Complaint and Petition for Preliminary Injunctive Relief in the above-captioned matter. (ECF Nos. 1, 4.)

2. Following a hearing on October 19, 2020, the Court denied Plaintiff's Motion for Preliminary Injunction. (ECF No. 27.)

3. Plaintiff filed a First Amended Complaint for Declaratory and Injunctive Relief on November 5, 2020. (ECF No. 30.)

4. Secretary Boockvar filed a Motion to Dismiss First Amended Complaint on November 20, 2020 and supporting brief on December 3, 2020. (ECF Nos. 31, 32.)

5. On December 14, 2020 Plaintiff filed a Response to Defendant's Motion to Dismiss. (ECF No. 33.)

6. Secretary Boockvar filed a Reply Brief in Further Support of her Motion to Dismiss on January 7, 2021. (ECF No. 37.)

7. On that same date, the United States filed a "Statement of Interest." (ECF No. 36.)

8. Secretary Boockvar believes that a Magistrate Judge, serving as a settlement officer, will best facilitate an amicable resolution of this matter.

9. Therefore, with the concurrence of Plaintiff, Secretary Boockvar respectfully requests that this Court refer this matter to a United States Magistrate Judge for the purpose of conducting a settlement conference, pursuant to Middle District of Pennsylvania Local Rules 16.9.1, 16.9.2, and 16.9.3.

WHEREFORE, Defendant Kathy Boockvar, in her Official Capacity, respectfully requests that this Court refer this matter to a United States Magistrate Judge for the purpose of conducting a settlement conference.

Respectfully submitted,

/s/ Daniel T. Brier  
Daniel T. Brier  
Donna A. Walsh  
Suzanne P. Conaboy

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(570) 342-6100

Dated: January 26, 2021

**CERTIFICATE OF CONCURRENCE**

I, Daniel T. Brier, hereby certify that I sought the concurrence of counsel for Plaintiff, Linda A. Kerns, in this Motion. Ms. Kerns concurs in the relief requested.

/s/ Daniel T. Brier

Date: January 26, 2021

**CERTIFICATE OF SERVICE**

I, Daniel T. Brier, hereby certify that a true and correct copy of the foregoing Unopposed Motion for Referral to a United States Magistrate Judge for Facilitation of Settlement was served upon the following counsel of record via the Court's ECF system on this 26th day of January 2021:

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/s/ Daniel T. Brier